

SENATE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 381

AN ACT

To repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to fee agent offices.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Section 136.055, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 136.055,
3 to read as follows:

4 136.055. 1. Any person who is selected or appointed by the
5 state director of revenue to act as an agent of the department of
6 revenue, whose duties shall be the sale of motor vehicle licenses
7 and the collection of motor vehicle sales and use taxes under the
8 provisions of section 144.440, RSMo, and who receives no salary
9 from the department of revenue, shall be authorized to collect
10 from the party requiring such services additional fees as
11 compensation in full and for all services rendered on the
12 following basis:

13 (1) For each motor vehicle or trailer license sold, renewed
14 or transferred--two dollars and fifty cents beginning January 1,
15 1998; and four dollars beginning July 1, 2000; and five dollars
16 beginning August 28, 2002, for those licenses biennially renewed
17 pursuant to section 301.147, RSMo. Beginning July 1, 2003, for
18 each motor vehicle or trailer license sold, renewed or

1 transferred--three dollars and fifty cents and seven dollars for
2 those licenses sold or biennially renewed pursuant to section
3 301.147, RSMo;

4 (2) For each application or transfer of title--two dollars
5 and fifty cents beginning January 1, 1998;

6 (3) For each instruction permit, nondriver license,
7 chauffeur's, operator's or driver's license issued for a period
8 of three years or less--two dollars and fifty cents and five
9 dollars for licenses or instruction permits issued or renewed for
10 a period exceeding three years;

11 (4) For each notice of lien processed--two dollars and
12 fifty cents beginning August 28, 2000;

13 (5) No notary fee or other fee or additional charge shall
14 be paid or collected except for electronic telephone transmission
15 reception--two dollars.

16 2. The director of revenue shall award fee office contracts
17 under this section through a competitive bidding process. The
18 competitive bidding process shall give priority to organizations
19 and entities that are exempt from taxation under Section
20 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as
21 amended, and political subdivisions, including but not limited
22 to, municipalities, counties, and fire protection districts. The
23 director of the department of revenue may promulgate rules and
24 regulations necessary to carry out the provisions of this
25 subsection. Any rule or portion of a rule, as that term is
26 defined in section 536.010, RSMo, that is created under the
27 authority delegated in this subsection shall become effective
28 only if it complies with and is subject to all of the provisions

1 of chapter 536, RSMo, and, if applicable, section 536.028, RSMo.
2 This section and chapter 536, RSMo, are nonseverable and if any
3 of the powers vested with the general assembly pursuant to
4 chapter 536, RSMo, to review, to delay the effective date, or to
5 disapprove and annul a rule are subsequently held
6 unconstitutional, then the grant of rulemaking authority and any
7 rule proposed or adopted after August 28, 2009, shall be invalid
8 and void.

9 3. All fees charged shall not exceed those in this section.
10 Beginning July 1, 2003, the fees imposed by this section shall be
11 collected by all permanent branch offices and all full-time or
12 temporary offices maintained by the department of revenue.

13 [3.] 4. Any person acting as agent of the department of
14 revenue for the sale and issuance of licenses and other documents
15 related to motor vehicles shall have an insurable interest in all
16 license plates, licenses, tabs, forms and other documents held on
17 behalf of the department.

18 [4.] 5. The fee increases authorized by this section and
19 approved by the general assembly were requested by the fee
20 agents. All fee agent offices shall display a three foot by four
21 foot sign with black letters of at least three inches in height
22 on a white background which states:

23 The increased fees approved by the
24 Missouri Legislature and charged by
25 this fee office were requested by the
26 fee agents.

27 6. Notwithstanding any other provision of law to the
28 contrary, the state auditor may audit all records maintained and

1 established by the fee office in the same manner as the auditor
2 may audit any agency of the state, and the department shall
3 ensure that this audit requirement is a necessary condition for
4 the award of all fee office contracts. No confidential records
5 shall be divulged in such a way to reveal personally identifiable
6 information.